



**Austin City Council  
MINUTES**

**REGULAR MEETING  
THURSDAY, MAY 3, 2001**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas, convened in a regular meeting on Thursday, May 3, 2001 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

**INVOCATION** – Rev. Lyndon Rogers, Principe de Paz Christian Church

Mayor Watson called the meeting to order at 9:27 a.m.

**CONSENT AGENDA**

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Wynn's motion, Council Member Griffith's second by a 7-0 vote.

1. Approval of minutes for regular meeting of April 26, 2001  
The minutes for the regular meeting of April 26, 2001 were approved.

Item 2 was a briefing.

Items 3 was Executive session items.

Items 4 through 5 were pulled for discussion.

6. Approve an ordinance authorizing acceptance of \$68,997 in additional grant funds from the State of Texas Health and Human Services Commission (HHSC) for a Children's Health Insurance Program (CHIP) outreach initiative, and amend Ordinance No. 000912-01, the 2000-2001 Operating Budget, by appropriating an additional \$68,997 in grant funds for the Health and Human Services Department Special Revenue Fund for a total grant amount of \$206,992 for a Children's Health Insurance Program (CHIP) outreach initiative. (Funding is available from the State of Texas Health and Human Services Commission (HHSC). The grant period is May 7, 2001 through January 31, 2002. The total grant amount is \$206,992. No match is required.) (Related Item Nos. 7 and 8)  
Ordinance No. 010503-06 was approved.
7. Approve a resolution authorizing an interlocal agreement between the City of Austin and the Texas Health and Human Services Commission (HHSC) under which the City's Health and Human Services Department (HHSD) will coordinate Children's Health Insurance Program (CHIP) outreach activities in Travis County and Williamson County and HHSC will pay \$206,992 to the City. (Funding is available from the State of Texas Health and Human Services Commission. The

contract period is May 7, 2001 through January 31, 2002. The total contract amount is not to exceed \$206,992.) (Related Item Nos. 6 and 8)

**Resolution No. 010503-07 was approved.**

8. Approve a resolution authorizing negotiation and execution of a 9-month contract with Daughters of Charity Health Services of Austin (dba Seton Healthcare Network), Austin, Texas, to provide outreach activities required by the CHIP interlocal agreement with the Texas Health and Human Services Commission (HHSC) for the Children's Health Insurance Program (CHIP) in an amount not to exceed \$188,497. [Funding is available in the Health and Human Services 2000-2001 Special Revenue Fund Texas Health and Human Services Commission (HHSC) CHIP interlocal agreement (May 7, 2001 through January 31, 2002).] (Related Item Nos. 6 and 7)

**Resolution No. 010503-08 was approved.**

9. Approve a resolution authorizing an Interlocal Agreement between the City of Austin and Travis County for use of the property locally known as 4523 Tannehill Lane, Austin, Texas, by the City of Austin as an emergency shelter for homeless women and/or homeless women and their children. (There is no direct cost associated with the Interlocal Agreement.)

**Resolution No. 010503-09 was approved.**

10. Approve a resolution appointing Assistant City Manager Betty Dunkerley to the First Workers' Corporation Board of Directors representing the City Manager's Office, and designating her as Interim Chairperson, to a term to expire on August 1, 2003. (No direct cost is associated with this appointment.)

**Resolution No. 010503-10 was approved.**

**Item 11 was pulled for discussion.**

12. C14-00-2260 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1604-1606-1610 East 7<sup>th</sup> Street (Town Lake Watershed) from SF-3, Family Residence district zoning, to GR-MU-CO, Community Commercial-Mixed Use-Conditional Overlay Combining district, zoning. First Reading on March 22, 2001; Vote 7-0. Conditions met as follows: Conditional overlay incorporates the conditions approved by Council at first reading. Applicant: John Hernandez. City Staff: Susan Villarreal, Watershed Protection and Development Review Department, 499-6319.

**Ordinance No. 010503-12 was approved.**

**Items 13 through 14 were pulled for discussion.**

15. Approve a resolution authorizing execution of a contract with Muniz Concrete and Contracting, Inc. (MBE-MH), Austin, Texas, for construction of Givens Park Playscape Installation Rebid, in the amount of \$124,595. (Funding was included in the 1999-2000 approved Capital Budget of the Parks and Recreation Department.) Lowest of six bids submitted. 63.60% MBE Prime, 4.60% WBE subcontracting participation.

**Resolution No. 010503-15 was approved.**

**Items 16 through 17 were pulled for discussion.**

18. Approve a resolution authorizing execution of 12-month service agreements with OPTIMAL IN-HOME CARE, Houston, Texas, and STRATEGIC CONSULTING, Austin, Texas, to provide pharmacy technicians and pharmacists respectively, in amounts not to exceed \$101,920 and \$166,920 respectively, with two 12-month extension options in amounts not to exceed \$101,920 and \$166,920 respectively per extension for total contract amounts not to exceed \$305,760 and \$500,760 respectively. (Funding in the amount of \$123,218 was included in the 2000-2001 Approved Operating Budget for the Primary Care Department. Funding for the remaining six and one half months of the original contract period and extension options is contingent upon available

funding in future budgets.) Low bids/two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

**Resolution No. 010503-18 was approved.**

19. Approve a resolution authorizing execution of a 12-month supply agreement with LEIF JOHNSON FORD, Austin, Texas, for the purchase of captive repair parts for Ford sedans and light trucks in an amount not to exceed \$300,000 with two 12-month extension options in an amount not to exceed \$300,000 per extension for a total contract amount not to exceed \$900,000. (Funding in the amount of \$125,000 was included in the 2000-2001 Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bidder/two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established for this solicitation. These parts are provided directly to the City from the manufacturer's authorized distributors.  
**Resolution No. 010503-19 was approved.**
20. Approve a resolution authorizing execution of a three-month contract with ENTERPRISE RENT-A-CAR, Austin, Texas, for the rental of twenty 15-passenger vans, nine cargo vans and one full-size pickup for the Parks and Recreation Department summer programs, in an amount not to exceed \$84,450. (Funding was included in the 2000-2001 Operating Budget for the Parks and Recreation Department.) Only bid received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. There are no subcontracting opportunities therefore, no goals were established for this solicitation. These rental vehicles will be provided directly to the City.  
**Resolution No. 010503-20 was approved.**
21. Approve a resolution to ratify an Interlocal Collaborative Agreement with the TEXAS ASSOCIATION OF COMMUNITY HEALTH CENTERS, Austin, Texas, for the City of Austin to receive \$600,000 in equipment and services to establish a comprehensive internet connectivity infrastructure within the community health clinics state wide; and for the City to commit funds in the amount of \$60,000. (Funding is available in the 2000-2001 approved operating budget for the Primary Care Department.) This contract is awarded in compliance with the 1996 MBE/WBE ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established for this contract.  
**Resolution No. 010503-21 was approved.**
22. Approve amendment No. 2 to increase the third option to the contract with AUSTIN FREE-NET, Austin, Texas, for the conversion of library and community sites to broadband Internet access and to set up two new sites in City Parks and Recreation facilities, in an amount not to exceed \$50,000, for a total revised contract amount not to exceed \$306,981. (Funding in the amount of \$50,000 is available in the 2000-2001 Approved Operating Budget for the Financial and Administrative Services Department. Funding for the remaining extension option will be contingent upon available funding in the future budget.) This contract was awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. Contractor will provide all services directly to the City with its own workforces. No subcontracting goals were established for this procurement. (Recommended by Council Committee for Telecommunications Infrastructure)  
**Resolution No. 010503-22 was approved.**
23. Set public hearings for the full purpose annexation of the following areas:  
  
River Place Blvd (Approximately 9 acres of River Place Blvd. and Bonaventure Dr. ROW between Merrywing Cir. and Bonaventure Dr. and approximately 3 acres on the east side of River Place Blvd. at the intersection of Bonaventure Dr. and River Place Blvd.)

Nagle Tract (approximately 21 acres located in eastern Travis County at the northeast corner of the intersection of US 290 and Blue Goose Road).

(Suggested Dates and Times: May 17, 2001 at 6 p.m., Lower Colorado River Authority Hancock Building. May 24, 2001 at 6 p.m., Lower Colorado River Authority Hancock Building.) [There is no cost associated with setting a public hearing. Financial data will be submitted with the annexation RCA.]

**Resolution No. 010503-23 was approved.**

24. Set public hearings to amend the Austin Metropolitan Area Transportation Plan (AMATP). (Hearing will not include discussion on Right-of-Way or new lanes to be constructed on Loop 1) (Suggested Dates and Times: May 17, 2001 at 6:00 p.m. and May 24, 2001 at 6:00 p.m.) [Recommended by Urban Transportation Commission, Environmental Board and Planning Commission]

**Resolution No. 010503-24 was approved.**

**Items 25 through 26 were pulled for discussion.**

27. Consider a resolution reclassifying the position of Associate City Clerk to Deputy City Clerk and making an appointment to that position. (Council Member Daryl Slusher, Mayor Kirk Watson and Council Member Raul Alvarez)

**Resolution No. 010503-27 was approved.**

**Items 28 through 29 were pulled for discussion.**

### DISCUSSION ITEMS

16. Approve an resolution authorizing the City Manager to execute a Design Team Agreement (includes collaboration with the architect, client & community) in an amount not to exceed \$22,500 and an Artwork Commission Agreement in an amount not to exceed \$127,500 for a combined total not to exceed \$150,000 with NOBUHO NAGASAWA, Santa Cruz, CA, for the City Hall & Public Plaza Art in Public Places Project. (The amount of \$150,000 from the Art in Public Places allocation within the City Hall & Public Plaza CIP.) (Recommended by Austin Arts Commission) **The motion to approve, adopting the AIPP's recommendation, awarding the contract to Mel Ziegler, failed on Council Member Wynn's motion, Mayor Watson's second by a 3-4 vote. Those voting aye were: Mayor Watson and Council Members Thomas and Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith and Slusher.**

**Resolution No. 010503-16 was approved, adopting the Arts Commission's recommendation, on Council Member Slusher's motion, Council Member Griffith's second by a 5-2 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Alvarez, Griffith and Slusher. Those voting nay were: Council Members Thomas and Wynn.**

5. Consider a Resolution authorizing execution of an Amended and Restated Lease Agreement with the Greater Austin Performing Arts Center, Inc., using the assumed name Arts Center Stage for the Long Performing Arts Center project [renovating the Palmer Auditorium.]

**The motion to approve the resolution and deleting section 8.3 (c) of the lease, was made on Council Member Wynn's motion, Mayor Watson's second.**

**The motion to amend by delaying action on this item until May 10, 2001 failed on Council Member Griffith's motion, Council Member Thomas' second by a 3-4 vote. Those voting aye were: Council Members Griffith, Slusher, and Thomas . Those voting nay were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Alvarez and Wynn.**

Resolution No. 010503-05 was approved with the motion shown above with the following friendly amendments by a 7-0 vote. The friendly amendment made by Council Member Slusher was for Section 2.1 (a) to read, "This Lease becomes effective as of the Effective Date, but Tenant's right to possession of the Premises does not commence until the date (the "Lease Occupancy Date") that is later of (i) June 1, 2002 or (ii) the date on which the last of the following events occurs:"

The second friendly amendment was to insert a new paragraph next to last paragraph of Section 2.1 (a) , after subsection 2.1 (a) (3) to read, "Provided, however, notwithstanding anything to the contrary in this lease, in the event the conditions of 2.1(a)(ii) are met prior to June 1, 2002, the lease becomes effective and the lease occupancy date is the date that all the conditions of 2.1 (a) (ii) are met."

The friendly amendments were accepted by the maker of the motion and Mayor Watson who made the second.

11. Approve a resolution authorizing payment to Thompson & Knight, L.L.P., Austin Texas, of up to \$75,000 for legal services in connection with various real estate matters, including but not limited to negotiations on the terms and conditions of a Development Agreement for the Second Street Retail Project, resulting in a total contract limit of \$615,000. (Funding in the amount of \$75,000 is included in the 2000-2001 Approved Operating Budget for the Redevelopment Services Office within the Economic Development Fund.)

Resolution No. 010503-11 was approved on Council Member Wynn's motion, Council Member Thomas' second by a 7-0 vote.

17. Approve a resolution authorizing negotiation and execution of an agreement with THIRD WAVE CORPORATION, Los Angeles, Ca., to provide an e-government plan for the Information Systems Department, for a total contract amount not to exceed \$500,000. (Funding is available in the approved 2000-2001 Operating Budget for various departments.) Best proposal of fourteen received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

Resolution No. 0010503-17 was approved on Council Member Wynn's motion, Council Member Slusher's second by a 7-0 vote.

29. Instruct the City Manager to develop programs to encourage use of native landscaping and environmentally sound practices for landscape management practices. (Council Member Daryl Slusher and Council Member Will Wynn and Council Member Raul Alvarez)

Resolution No. 010503-29 was approved on Council Member Slusher's motion, Council Member Griffith's second by a 7-0 vote.

The motion to recess the meeting at 11:27 a.m. and to go into Executive Session was approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 7-0 vote.

#### EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

3. Discuss acquisition of real property for Austin Police Department Central/East Austin Police Substation & Forensics Facility.

Executive session ended at 11:50 a.m.

Mayor Watson called the meeting back to order at 1:26 p.m.

**DISCUSSION ITEMS CONTINUED**

4. Approve a resolution authorizing fee simple acquisition of 816 Springdale Road, Austin, Texas, from Jack Howison, Jr. for the Austin Police Department Central/East Austin Police Substation & Forensic Facility, in the amount of \$132,000. (Funding is included in the 2000-2001 Capital Budget of the Austin Police Department.)

**Resolution No. 010503-4 was approved on Council Member Thomas' motion, Council Member Wynn's second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.**

**1:30 P.M. CITIZEN COMMUNICATIONS: GENERAL**

30. Gus Peña - To discuss City Budget issues. City of Austin (Council needs to allocate funding for transitional housing for Homeless families. Push for more affordable housing. - **ABSENT**
31. John Sanford - The Austin E.T.J. which surrounds Buda and limits the growth of the community. - **ABSENT**
32. James P. Kirby - Prayers at Seton-Brackenridge
33. Jennifer L. Gale - The Committee To Politically Overthrow The Austin City Government. - **ABSENT**

**The motion to recess the meeting at 1:35 p.m. was approved on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second by a 6-0 vote. Council Member Griffith was off the dais.**

Mayor Watson called the meeting back to order at 1:36 p.m.

**DISCUSSION ITEMS CONTINUED**

25. Consider a resolution to appoint a Gentrification Task Force to study and create a comprehensive plan that addresses affordable housing and economic development in Austin city neighborhoods. (Council Member Danny Thomas, Council Member Beverly Griffith, and Council Member Raul Alvarez)

**The motion to direct staff to update the March 2000 report and report on items 2 and 3 on page two of the original resolution and refer the report to the Planning Commission for review and to bring back to Council on June 14, 2001 or no later than 45 days was made by Mayor Pro Tem Goodman and seconded by Mayor Watson. Council Member Alvarez' friendly amendment to the main motion was to have the Community Development Commission also review this and bring back to Council at the same time.**

**The substitute motion made by Council Member Thomas, seconded by Mayor Pro Tem Goodman, to postpone this item until June 14, 2001, failed on a 2-5 vote. Those voting aye were: Council Members Griffith and Thomas. Those voting nay were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Alvarez, Slusher and Wynn.**

**The main motion as shown above was approved by a 5-2 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Alvarez, Slusher and Wynn. Those abstaining were: Council Members Griffith and Thomas.**

**The motion to recess the meeting at 2:28 p.m. was approved on Council Member Wynn's motion, Mayor Watson's second by a 7-0 vote.**

The Mayor called the meeting back to order at 3:18 p.m.

**BRIEFINGS**

2. Presentation by Antoine Predock, FAIA, on New City Hall and Public Plaza Design.  
The presentation was made by Nathan Schneider, CSC Project Officer, Juan Cortera, Cortera, Kolar, Negrete and Reed Architects, Antoine Predock, Predock Architects.

### ZONING DISCUSSION

36. C14H-01-0001 – Gustave Johnson House – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 506 Atlanta Street (Lake Austin Watershed) from SF-3, Family Residence district zoning to LO-MU-H, Limited Office-Mixed Use-Historic Combining district zoning. Historic Landmark Commission Recommendation: To grant the H, Historic Combining district zoning and not forward a recommendation regarding the LO-MU, Limited Office-Mixed Use Combining district zoning request. Planning Commission Recommendation: To deny LO-MU-H, Limited Office-Mixed Use-Historic Combining district zoning. Applicant and Agent: Atlanta Street Development Corporation (Richard Miscoe). City Staff: Glenn Rhoades, 499-2775 and Barbara Stocklin, Transportation, Planning and Design Department, 499-2414. Note: A valid petition has been filed in opposition to this rezoning request (continued from 4/19/01)

The public hearing was closed on Council Member Slusher's motion, Council Member Wynn's second by a 7-0 vote.

The motion to deny the rezoning request was approved on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

The motion to recess the meeting at 5:30 p.m. was approved on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

The Mayor called the meeting back to order at 6:25 p.m.

### DISCUSSION ITEMS CONTINUED

26. 6:00 p.m. Time Certain Direct the City Manager to identify and recommend a site for the Asian-American Community Resource Center in Austin. (Council Member Raul Alvarez, Mayor Pro Tem Jackie Goodman and Council Member Danny Thomas)  
Resolution No. 010503-26 was approved on Council Member Alvarez' motion, Council Member Thomas' second by a 7-0 vote.

### ZONING DISCUSSION ITEMS CONTINUED

38. C14-01-0023a – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10400 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719. (continued from 4/26/01)

This item was postponed until May 10, 2001 per the applicant's request on motion by Council Member Slusher, seconded by Council Member Wynn on a 7-0 vote.

39. C14-01-0023b – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10400 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719. (continued from 4/26/01)

This item was postponed until May 10, 2001 per the applicant's request on motion by Council Member Slusher, seconded by Council Member Wynn on a 7-0 vote.

40. C14-01-0023c – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10400 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719. (continued from 4/26/01)  
**This item was postponed until May 10, 2001 per the applicant's request on motion by Council Member Slusher, seconded by Council Member Wynn on a 7-0 vote.**
41. C14-01-0023d – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10400 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719. (continued from 4/26/01)  
**This item was postponed until May 10, 2001 per the applicant's request on motion by Council Member Slusher, seconded by Council Member Wynn on a 7-0 vote.**
42. C14-01-0024 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 3300 Block of Squirrel Hollow Drive (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719. (continued from 4/26/01)  
**This item was postponed until May 10, 2001 per the applicant's request on motion by Council Member Slusher, seconded by Council Member Wynn on a 7-0 vote.**
43. C14-01-0025a – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10500–10600 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719. (continued from 4/26/01)  
**This item was postponed until May 10, 2001 per the applicant's request on motion by Council Member Slusher, seconded by Council Member Wynn on a 7-0 vote.**
44. C14-01-0025b – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10500–10600 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719. (continued from 4/26/01)  
**This item was postponed until May 10, 2001 per the applicant's request on motion by Council Member Slusher, seconded by Council Member Wynn on a 7-0 vote.**
45. C14-01-0025c – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10500–10600 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719. (continued from 4/26/01)

This item was postponed until May 10, 2001 per the applicant's request on motion by Council Member Slusher, seconded by Council Member Wynn on a 7-0 vote.

46. C14-01-0025d – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10500–10600 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. Planning Commission Recommendation: To grant SF-2, Single Family Residence Standard Lot district zoning. Property Owner and Applicant: Larry Niemann. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719. (continued from 4/26/01)

This item was postponed until May 10, 2001 per the applicant's request on motion by Council Member Slusher, seconded by Council Member Wynn on a 7-0 vote.

35. C14-00-2062 - Bennett Tract - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property located at East 11th Street on the north, the alley between East 7th & East 8th Streets on the south, Interstate Highway 35 South on the west, and San Marcos on the east (Waller Creek Watershed) from CS-NCCD, General Commercial Services-Neighborhood Conservation Combining district zoning and SF-3-NCCD, Family Residence-Neighborhood Conservation Combining district zoning to CS-NCCD, General Commercial Services-Neighborhood Conservation Combining district zoning. Planning Commission Recommendation: To grant CS-NCCD, General Commercial Services-Neighborhood Conservation Combining district zoning with conditions. Property Owners: Austin Skyline Associates, Joseph C. Wooten, Elena S. Lopez, State of Texas, Joe C. Franzetti, Donald Thomas, Jomar Joseph, John A. and Jo Ann A. Thompson, Guadalupe Neighborhood Development Corporation and Jomar Joseph Partners, Ltd. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning. City Staff: Adam Smith, 499-2755. Note: Valid petitions have been filed in opposition to this rezoning request. (continued from 4/20/00, 8/3/00, 9/28/00, 10/12/00, 1/11/01 and 4/19/01)

The public hearing was closed on Council Member Thomas' motion, Council Member Wynn's second by a 5-0 vote with Mayor Pro Tem Goodman and Council Member Griffith off the dais.

The motion to approve on first reading was made on Council Member Alvarez' motion, Council Member Thomas' second by a 5-2 vote. Council Members Griffith and Slusher voted no.

13. Approve a resolution authorizing the negotiation and execution of a development agreement with Riata Partners L.L.C. under the City's Smart Growth Initiative and Chapter 380 of the Local Government Code, to encourage development of the area located south of East 11th Street, generally bounded on the north by 11th Street, on the west by IH 35, on the south by the alley between 7th and 8th Streets, and on the east by San Marcos Street ("Robertson Hill").

The motion to postpone this item until May 24, 2001 was approved on Council Member Alvarez' motion, Council Member Wynn's second by a 7-0 vote.

14. Approve an ordinance waiving certain fees for the construction of infrastructure and rights of way, and for the purchase of rights of way and easement dedications; waiving certain requirements under Chapter 25-9 of the City Code, and approving economic development grants under Chapter 380 of the Local Government Code, to Riata Partners L.L.C. for development of the area located south of East 11th Street, generally bounded on the north by 11th Street, on the west by IH 35, on the south by the alley between 7th and 8th Streets, and on the east by San Marcos Street ("Robertson Hill"). The motion to postpone this item until May 24, 2001 was approved on Council Member Alvarez' motion, Council Member Wynn's second by a 7-0 vote.

34. C14-88-0103 - Bennett Tract - Public hearing to amend Chapter 25-2 of the Austin City Code by terminating a restrictive covenant for property at East 11th Street on the north, the alley between East 7th & East 8th Streets on the south, Interstate Highway 35 South on the west, and San Marcos

on the east (Waller Creek Watershed). Planning Commission Recommendation: Not forwarded to the Planning Commission. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. Staff: Adam Smith, 499-2755. (continued from 4/19/01)

**The public hearing was closed on Council Member Thomas' motion, Council Member Wynn's second by a 5-0 vote with Mayor Pro Tem Goodman and Council Member Griffith off the dais.**

**The motion to postpone this item until May 24, 2001 was approved on Council Member Alvarez' motion, Council Member Wynn's second by a 7-0 vote.**

28. Approve an ordinance extending the interim development controls applicable to the portion of Subdistrict 3 of the East 11<sup>th</sup> Street Neighborhood Conservation Combining District located south of East 11<sup>th</sup> Street (the "Bennett Tract"). (Council Member Raul Alvarez and Council Member Danny Thomas)

**Ordinance No. 010503-28 was approved extending the date to June 4, 2001 on Council Member Alvarez' motion, Council Member Thomas' second by a 7-0 vote.**

**The motion to suspend the rules to allow the meeting to go pass 10:00 p.m. was approved on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.**

#### DISCUSSION ITEMS CONTINUED

47. Conduct a public hearing to take public input on proposed transportation projects to be funded with Capital Metro funding.

**The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Griffith's second by a 7-0 vote.**

37. C14T-00-2163 – Brandt's Crossing – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 2300-2304 Brandt Road (Onion Creek Watershed) from I-RR, Interim-Rural Residence district zoning to TND, Traditional Neighborhood District zoning. Planning Commission Recommendation: To grant TND, Traditional Neighborhood District zoning. Property Owner and Applicant: Steve Unger, Ray Garner, John Blazier. Agent: SDC Austin Communities (Haythem Dawlett). City Staff: Trann Lackey, 499-3341. (continued from 1/18/01, 1/25/01, 2/1/01, 2/15/01, 3/1/01 and 3/29/01)

**This item was withdrawn by the applicant.**

48. APPOINTMENTS

Airport Advisory Board  
 Austin Community Education Consortium  
 Board of Adjustment  
 Bond Oversight Committee  
 Brackenridge Hospital Oversight Council  
 Building and Fire Code Board of Appeals  
 Building Standards Commission  
 Central City Entertainment Center Board  
 Charter Revision Committee  
 Child Care Council  
 City of Austin Commission for Women  
 Commission on Immigrant Affairs  
 Community Development Commission  
 Construction Advisory Committee  
 Design Commission  
 Downtown Commission  
 Electrical Board  
 EMS Quality Assurance Team

Ethics Review Commission  
Federally Qualified Health Center Board  
First Workers' Corporation  
Human Rights Commission  
Impact Fee Advisory Committee  
Library Commission  
Mechanical, Plumbing & Solar Board  
Medical Assistance Program Advisory Board  
MBE/WBE Advisory Committee  
Music Commission  
Parks & Recreation Board  
Renaissance Market Commission  
Resource Management Commission  
Solid Waste Advisory Commission  
Task Force to Review Board and Commission System  
Urban Forestry  
Urban Renewal Board  
**No Action Taken.**

**The motion to adjourn the meeting at 10:47 p.m. was approved on Council Member Slusher's motion, Mayor Watson's second by a 7-0 vote.**

**The minutes for the regular meeting of May 3, 2001 and May 10, 2001 were approved on Council Member Wynn's motion, Council Member Thomas' second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.**

